

DATE: December 18, 1992

TO: Office of Water Programs Engineering and Shellfish Staff

FROM: Eric H. Bartsch, P.E., Director
Office of Water Programs

SUBJECT: Water - Procedure - Miscellaneous - Licensing of Water Well Drillers

The 1992 General Assembly modified 54.1-1100 of the Code of Virginia to require that water well drillers be licensed as either a Class B (minimum class) or Class A contractor. These Classes are distinguished by the dollar value of the projects they are permitted to undertake. To be a well driller the contractor must take a special written examination. Apparently it is an examination developed by the National Water Well Association and may be taken through them.

The law places no responsibility of the Department of Health to ensure that contractors drilling wells are certified as well drillers.

Enclosed is a packet of information provided by the Department of Commerce to all the local environmental health specialist (sanitarians). Please read the attached information. You are not required to do anything with the notice to the contractor; however, as a courtesy to the Department of Commerce a copy of this consumer notice is to be enclosed with all well site approval letters.

Attachments



COMMONWEALTH of VIRGINIA

BONNIE S. SALZMAN
DIRECTOR

Department of Commerce
3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230-4917

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MEMORANDUM

TO: All Local Environmental Health Specialists
Virginia Department of Health

FROM: Florence R. Brassier *JRB*
Assistant Director
The Board for Contractors

DATE: November 23, 1992

RE: The Licensing Requirement for
Water Well Drillers

I am writing to provide you information about the above-referenced requirement.

Section 54.1-1100 of the Code of Virginia requires that all water well drillers practicing in the Commonwealth maintain the appropriate contractors license issued by our Board. Drillers performing jobs up to \$70,000 per job or contract must hold a Class B license; anyone engaged in a single project above that amount or earning \$500,000 or above in a twelve-month period must hold a Class A license.

Many well drillers are unaware of these requirements. Contractors normally learn about state licensing requirements from local building officials when permits are sought. Since well permits are not usually issued directly to the driller, this method of communicating and enforcing the licensing requirement is not available.

I am, therefore, proposing that the following steps be taken to ensure adequate protection of the public by bringing all well drillers into compliance with the law:

1. Please provide a copy of the enclosed consumer notice to all those who receive permits for water wells from your office.
2. When inspecting a well, please ask the contractor who performed the work to give you his license number and type (Class B or A) as well as the expiration date of the license. Our license numbers are six digits long with a four-digit prefix - 2701 04 2705. Most contractors will not know the prefix, but will know the six-digit number. All of our licenses come with a detachable wallet or pocket card showing the number and expiration date of the license.

TELEPHONE: (804) 367-8500
TDD: (804) 367-9753

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3. If the contractor does not have a license, give him a copy of the enclosed notice and mail a copy to our office. If the contractor says that he does not have his license or pocket card, you can call our office at (804)367-8511 to check the number he gives you or to ask us to search for a license record based on the name of the business and/or the individual.

If these steps are taken, problems with unlicensed well drillers should diminish considerably over the next few months. To facilitate this process, I have also enclosed some basic guidelines about the requirements for licensure; since two examinations are now required for water well drillers, it will probably take a month or longer for most applicants to complete the process.

If you are concerned that a contractor is not actually taking steps to obtain the proper license, ask him to show you a copy of the front page of his application and evidence (a copy of a check or receipt for a money order) of payment of the licensing fee. While it would be inappropriate for you to refuse to approve a well solely because the well driller does not hold the proper contractor license, you can certainly pressure the contractor to come into compliance with the law by informing our agency of his unlawful practice. Complaints of unlicensed practice are investigated by our Criminal Investigations Unit and can lead to prosecution by the Commonwealth's Attorney, especially in cases in which the violations are repeated and committed by contractors who have been informed of the licensing requirements.

The Board appreciates your assistance in the enforcement of contractor license law. Staff in our office will be happy to answer any questions you may have or to provide you any additional information you may need. You can write to me or my assistant, Elizabeth Kirksey, at the above address or telephone us at (804) 367-8557.

Enclosures

cc The Board for Contractors

Elizabeth Kirksey
Assistant Administrator
The Board for Contractors

Wayne Brown, Chief
Criminal Investigations Unit
Virginia Department of Commerce

Steve Cain, Director
Virginia Water Well Association

Gary Hagy
Assistant Division Director
Division of On-Site Sewage and
Water Services
Virginia Department of Health

CONSUMER NOTICE

ALL WATER WELL DRILLERS PRACTICING IN THE
COMMONWEALTH OF VIRGINIA ARE REQUIRED TO BE LICENSED
BY THE BOARD FOR CONTRACTORS
UNDER §54.1-1100 OF THE CODE OF VIRGINIA.

BE SURE TO ASK YOUR WATER WELL DRILLER TO SHOW
YOU THAT LICENSE BEFORE YOU SIGN A CONTRACT FOR THE
DRILLING OF YOUR WELL. IF YOU ARE DEALING WITH A
CONTRACTOR WHO HAS NO LICENSE, TELL HIM TO CONTACT

THE BOARD FOR CONTRACTORS

VA DEPARTMENT OF COMMERCE

3600 WEST BROAD ST

RICHMOND, VA 23230-4917

(804) 367-8511

DO NOT CONTRACT WITH AN UNLICENSED WELL-DRILLER!!